

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

CLEO FIDDEMON, :
 :
Plaintiff : CIVIL ACTION NO. 3:21-144
 :
v. : (JUDGE MANNION)
 :
PATROLMAN ROBERT MAHOLIK, :
PATROLMAN JOSEPH WOZNIAK, :
and WILKES-BARRE TOWNSHIP, :
 :
Defendants :

ORDER

In accordance with the court's Memorandum issued this same day, **IT**
IS HEREBY ORDERED THAT:

- (1) Defendants' motion for summary judgment, **(Doc. 23)**, is **GRANTED in part** and **DENIED in part**.
- (2) Defendants' motion for summary judgment is **DENIED** with respect to Plaintiff's excessive force and punitive damages claims against Officer Maholik and Officer Wozniak; these claims will **PROCEED**.
- (3) Defendants' motion for summary judgment is **GRANTED** and **JUDGMENT** is entered in favor of Defendants on Plaintiff's remaining claims.

- (4) By separate Order, the court will schedule trial and a final pre-trial conference in this case.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

DATE: March 31, 2023

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